

To the Members of the California State Assembly:

I am returning Assembly Bill 2939 without my signature.

This bill would authorize local jurisdictions to impose more restrictive modifications to the California Green Building Standards Code for both residential and non-residential buildings.

The bill is both unnecessary and overly far reaching.

At my direction, California was the first state in the nation to enact statewide green building standards. The California Building Standards Commission (BSC) this year adopted the California Green Building Standards Code and by the end of 2010 will enhance and expand those rules to provide further benefit. Local governments currently have the authority to enact even stronger green building standards if they so choose. Throughout California, dozens of localities have already done so.

Additionally, the bill is written in such broad terms that a local jurisdiction could make wholesale changes to the state building code, even to non-green building standards. This dramatic expansion of authority is contrary to existing health and safety practices that have been in place for decades. The BSC must maintain the legal statewide authority to develop building standards utilizing an open public adoption process with expert review.

Because of my strong support of both local control and green building standards, my Administration provided amendments that clarified the local authority which the bill's proponents sought. While agreement unfortunately was not reached this year, I encourage the Legislature to work with my Administration on future legislation that provides the absolute clarity that local governments can strengthen the state's green building standards, while maintaining California's rigorous uniform statewide health and safety standards.

For these reasons, I am returning this bill without my signature.

Sincerely,

Arnold Schwarzenegger